

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION, AT JACKSON

FILED BY SJ DC
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ROBERT R. DIAZ
CLERK OF US DISTRICT
WD OF TN JACKSON

DOUGLAS M. GRAHAM, individually and as)	
natural father and next of kin of ERIN)	
GRAHAM,)	
)	
Plaintiffs,)	No. 1-05-1040-T/An
)	JUDGE James D. Todd
v.)	
)	
VICTORY RANCH)	
)	
Defendant.)	

RULE 16(B) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice for June 7, 2005, the following dates are established as the final dates for:

INITIAL DISCLOSURES (Rule 26(a)(1)): **June 21, 2005**

JOINING PARTIES:

For Plaintiff: **August 5, 2005**

For Defendant: **September 6, 2005**

AMENDING PLEADINGS:

For Plaintiff: **August 5, 2005**

For Defendant: **September 6, 2005**

COMPLETING ALL DISCOVERY: **February 7, 2006**

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES,
AND REQUESTS FOR ADMISSIONS** (propounded so that
responses are due no later than): **February 7, 2006**

(b) **EXPERT DISCLOSURE (RULE 26(a)(2)):**
(i) Plaintiff's Experts: **December 6, 2005**
(ii) Defendant's Experts: **January 6, 2006**
(iii) Supplementation under Rule 26(e):
January 16, 2006

(c) **DEPOSITION OF EXPERTS:** **February 7, 2006**

FILING DISPOSITIVE MOTIONS: **February 8, 2006**

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a) For Plaintiff: **March 24, 2006** or 45 days before trial
(b) For Defendant: **April 8, 2006** or 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last _____ days and is **SET** for **JURY TRIAL** on **Monday, May 8, 2006**, at **9:30 a.m.** A joint pretrial order is due on **Friday, April 28, 2006**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. All motion or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery. No depositions may be scheduled to occur after the discovery cutoff date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 122, 56, 59 and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply

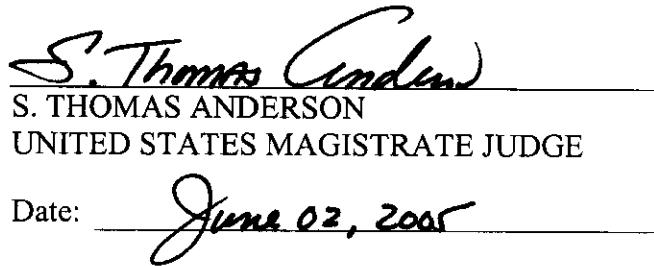
is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial. However, the parties DO NOT CONSENT to all matters being conducted by the Magistrate Judge, including the conducting of a jury trial, if properly demanded, with any appeal of the verdict to be directly to the Sixth Circuit Court of Appeals, pursuant to 28 U.S.C. § 636(c).

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE
Date: June 02, 2005

APPROVED FOR ENTRY:

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ
A Professional Corporation

By:

Jill M. Steinberg (# 11603)

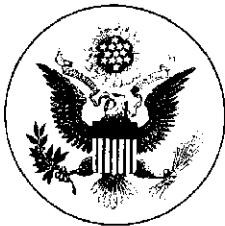
Betty Campbell (# 23547)
165 Madison Avenue
Suite 2000
Memphis, Tennessee 38103
(901) 526-2000
(901) 577-2303 - *Facsimile*

APPROVED FOR ENTRY:

By:

David A. McLaughlin (# 15561)

THE COCHRAN FIRM
One Commerce Square
Suite 2600
Memphis, Tennessee 38103
(901) 523-1222
(901) 523-1999 - *Facsimile*



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 1:05-CV-01040 was distributed by fax, mail, or direct printing on June 6, 2005 to the parties listed.

Betty Campbell
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ- Memphis
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

David A. McLaughlin
THE COCHRAN FIRM
One Commerce Square
Ste. 2600
Memphis, TN 38103

Honorable James Todd
US DISTRICT COURT